

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Case No.: 1:18-bk-00449-RNO
David Robert Thompson AKA Dave	:	Chapter 13
Robert Thompson	:	Judge Robert N. Opel II
Denise Pearl Thompson	:	*****
	:	
Debtor(s).	:	
	:	
Nationstar Mortgage LLC d/b/a Mr.	:	
Cooper	:	
Movant	:	
	:	
v.	:	
	:	
David Robert Thompson AKA Dave	:	
Robert Thompson, Denise Pearl	:	
Thompson, Charles J. DeHart III,	:	
Trustee	:	
Respondents	:	

OBJECTION TO DEBTOR'S CHAPTER 13 PLAN

Now comes Nationstar Mortgage LLC d/b/a Mr. Cooper ("Creditor") by and through its attorneys, Manley Deas Kochalski LLC, and files this Objection to Debtor's Chapter 13 Plan, averring as follows:

1. Creditor is a creditor herein secured by a first mortgage lien upon the Debtor's real estate located at 199 Beagle Club Rd., Carlisle, PA 17013. Creditor has filed proof of claim number 9 for the subject mortgage loan in the amount of \$159,958.39, and reflecting a pre-petition arrears amount of \$1,181.54.
2. The Chapter 13 Plan's only provision for payment of Creditor's arrearage claim is that the amount will be "paid at the time of sale of real estate".
3. The Plan provides no additional information on a proposed sale of the subject property, particularly a timeline for any such sale to occur.

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4. Creditor requests that the Plan be amended to provide for payment of its arrearage claim until such time as a sale of the subject property occurs.
5. Creditor objects to the proposed treatment and asserts that, as of the petition date herein, Creditor's claim was fully secured by value in the real estate. Accordingly, § 1322(b)(2) of the Bankruptcy Code and the United States Supreme Court's holding in Nobleman v. American Savings Bank (In re: Nobleman), 508 U.S. 324 (1993) prohibit the Debtor's proposed modification of Creditor's mortgage.

WHEREFORE, Creditor respectfully requests the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan.

Respectfully submitted,

/s/ Karina Velter

Karina Velter, Esquire (94781)

Kimberly A. Bonner (89705)

Adam B. Hall (323867)

Sarah E. Barngrover (323972)

Manley Deas Kochalski LLC

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Attorneys for Creditor

The case attorney for this file is Karina Velter.

Contact email is kvelter@manleydeas.com

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	:	
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Robert Thompson, Denise Pearl	:	
Thompson, Charles J. DeHart III,	:	
Trustee	:	
Respondents	:	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Objection to Debtor's Chapter 13 Plan was served on the parties listed below via e-mail notification:

United States Trustee, 228 Walnut Street, Suite 1190, Harrisburg, PA 17101

Charles J. DeHart III, Chapter 13 Trustee, 8125 Adams Drive, Suite A, Hummelstown, PA 17036

Gary J. Imblum, Attorney for David Robert Thompson and Denise Pearl Thompson, Imblum Law Offices, P.C., 4615 Derry Street, Harrisburg, PA 17111, gary.imblum@imblumlaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on May 22, 2018:

David Robert Thompson AKA Dave Robert Thompson and Denise Pearl Thompson, PO Box 1005, New Kingstown, PA 17072

David Robert Thompson AKA Dave Robert Thompson and Denise Pearl Thompson, 199 Beagle Club Rd, Carlisle, PA 17013

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DATE: May 22, 2018

/s/ Karina Velter

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